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11 Attorneys for Defendants Cie Games; Crowdstar; EA;  
12 Funzio; Zynga; and Digital Chocolate

13 UNITED STATES DISTRICT COURT  
14 SOUTHERN DISTRICT OF CALIFORNIA

15 Gametek LLC,

16 Plaintiff,

17 v.

18 FACEBOOK, INC.; FACEBOOK  
OPERATIONS, LLC; FACEBOOK  
19 PAYMENTS, INC.; FACEBOOK SERVICES,  
INC.; 6WAVES LLC f/k/a LOLAPPS INC.  
d/b/a 6WAVES LOLAPPS d/b/a SIX  
20 WAVES; 6WAVES TECHNOLOGIES, LLC  
f/k/a LOLAPPS INC. d/b/a 6WAVES  
21 LOLAPPS d/b/a SIX WAVES; BIG VIKING  
GAMES INC. f/k/a TALL TREE GAMES;  
22 BUFFALO STUDIOS LLC; CIE GAMES,  
INC.; CROWDSTAR INTERNATIONAL  
23 LIMITED; CROWDSTAR INC.;  
CROWDSTAR NETWORK, LLC;  
24 ELECTRONIC ARTS INC. d/b/a EA  
INTERACTIVE d/b/a PLAYFISH d/b/a  
25 POGO GAMES; FUNZIO, INC.; FUNZIO  
USA, INC.; ROCKYOU, INC.; SIX WAVES  
26 INC. f/k/a LOLAPPS INC. d/b/a 6WAVES  
LOLAPPS d/b/a SIX WAVES; THEBROTH  
27 INC.; WOOGA GMBH; ZYNGA INC.; and  
DIGITAL CHOCOLATE, INC.,  
28

CASE NO. 12cv0501-BEN-RBB

**JOINT MOTION TO SEVER CLAIMS  
AGAINST DEFENDANTS**

Judge: Roger T. Benitez

Defendants.

Plaintiff Gametek, LLC and Defendants Cie Games, Inc. (“Cie Games”); Crowdstar International Limited, Crowdstar Inc., and Crowdstar Network, LLC (“Crowdstar”); Electronic Arts Inc. d/b/a EA Interactive d/b/a Playfish d/b/a Pogo Games (“EA”); Funzio, Inc. and Funzio USA, Inc. (“Funzio”); Zynga Inc. (“Zynga”); and Digital Chocolate, Inc. (“Digital Chocolate”) (collectively, “Defendants”), hereby jointly move, through their respective counsel, that the claims against Defendants be severed into separate actions.

In view of Gametek LLC’s Opposition to the Motion to Dismiss Parties filed in the above captioned litigation, *Gametek LLC v. Facebook et al.* (Dkt. No. 121), the Plaintiff and Defendants agree that severance of these Defendants is proper. The parties further agree that the claims against the Defendants should be severed into separate actions as follows:

1. *Gametek v. Cie Games, Inc.*
2. *Gametek v. Crowdstar International Limited, Crowdstar Inc., and Crowdstar Network, LLC*
3. *Gametek v. Electronic Arts Inc. d/b/a EA Interactive d/b/a Playfish d/b/a Pogo Games*
4. *Gametek v. Funzio, Inc. and Funzio USA, Inc.*
5. *Gametek v. Zynga Inc.*
6. *Gametek v. Digital Chocolate, Inc.*

Subject to the Court’s approval, the parties respectfully request that the claims against these Defendants be severed and that the Clerk open a new case number for each of the Defendants moving herein. The parties agree that all documents previously filed in the *Gametek v. Facebook, et al.* suit captioned above will be deemed filed in the new, severed cases, and all rights, defenses, and/or arguments of all parties remain intact. The parties also agree that the granting of this motion renders moot the Motion to Dismiss Parties (Dkt. No. 97), and that the hearing on this motion scheduled for July 16, 2012 at 10:30am is no longer required.

Respectfully submitted,

1 Dated: July 6, 2012

2 GIBSON, DUNN & CRUTCHER LLP

3  
4 By: /s/ Jason Lo

5 Jason Lo  
6 Wayne Barsky  
7 Jordan Bekier  
8 Cassandra Gaedt

9 Attorneys for Defendants Cie Games, Crowdstar, EA,  
10 Funzio, Zynga, and Digital Chocolate

11 Dated: July 6, 2012

12 COLLINS EDMONDS POGORZELSKI  
13 SCHLATHER & TOWER, PLLC

14 By: /s/ John Edmonds

15 John Edmonds

16 Attorney for Plaintiff Gametek, LLC  
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**CERTIFICATE OF SERVICE**

I, the undersigned, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 333 South Grand Avenue, Los Angeles, California 90071.

On July 6, 2012, I caused the following documents to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filings to all known counsel of record:

**JOINT MOTION TO SEVER CLAIMS AGAINST DEFENDANTS**

I declare under penalty of perjury under the laws of the United States of America and the State of California that the above is true and correct.

Executed on July 6, 2012, at Los Angeles, California.

\_\_\_\_\_  
/s/ Jason Lo  
Jason Lo

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